IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.967/06

Mrs.Firdaus Sabbir Shaikh .....Applicant

V/s.

The state of Maharashtra .... Respondent

Shri.A.H.H. Ponda for the applicant

Miss.M.M. Deshmukh APP for the State

CORAM : V.M. KANADE, J.

DATE : 03/04/06

P.C:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was arrested in connection with C.R.No.13/06 for the offences punishable U/s.420, 465, 467, 468, 471 r/w 34 of IPC on 11th January, 2006 on complaint which was registered at Bandra Kurla Complex Police Station, Mumbai.

3. It is alleged that the applicant and her husband cheated number of people to the tune of Rs.32 lacs and

had executed various documents which were forged and fabricated.

4. Learned APP submitted that her husband is absconding and she has not given address about whereabouts of her husband. Money has not been recovered from the present applicant and that there is every possibility that applicant may abscond and may tamper the evidence and threaten prosecution witnesses. Learned APP further submitted that chargesheet is likely to be filed in couple of days.

5. Learned Counsel for the applicant submitted that applicant is lady having two children and is permanently resident in Mumbai. Since investigation is almost over, applicant can not be kept behind bars as trial is not likely to commence in the near future though it is true that the offence which is alleged to have been committed is serious it cannot be forgotten that applicant is a lady and she is in custody since 11th January, 2006. Report submitted by the police indicates that she is permanent resident of Mumbai and she has purchased flat in building No.8, R.No.12 New Tata Colony, Bharat Nagar, Bandra(E).

6. Considering the facts and circumstances of this case, in my view, applicant is required to be released on bail.

7. The applicant be released on bail in the sum of Rs.10,000/- with one or two sureties in like amount.

8. The applicant shall report to Bandra Kurla Complex police station once in a week.

9. The applicant shall co-operate with I.O. in investigation of the case.

10. The application shall give one or two local sureties.

11. If any attempt is made to threaten the prosecution witnesses or to tamper with the evidence, liberty is given to the Public Prosecutor to apply for cancellation of bail.

12. Application is accordingly disposed of.

V.M. KANADE, J.